IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 12903 of 2005

Between:

Ch.Pothuraju S/o.Veeraswamy
R/o.Kindra Village, Rajavommangi Mandal, East Godavari District.

..... PETITIONER

AND

1 The Revenue Divisional Officer Rampachodavaram, E.G.District.
2 The Mandal Revenue Officer, Rajavommangi Mandal, E.G.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate writ or order or direction more particularly one in the nature of writ of mandamus declaring the action of the 2nd respondent in dispossessing me from the land to an extent of 3.00 Acres in Sy.Nos.166/1 and 166/2 situated at Kindra Village of Rajavommangi Mandal, E.G.District without issuing any notice or passing any order as illegal, arbitrary and unjust and violation of principles of natural justice and consequently direct the respondents not to dispossess me from the above mentioned land in the interest of justice and to pass.

Counsel for the Petitioner: MR.K.VENKATESH

Counsel for the Respondent No.: GP FOR REVENUE

The Court at the stage of admission made the following :

ORDER:

Heard both sides.

In this Writ Petition, petitioner is seeking a Writ of Mandamus, declaring the action of the second respondent in dispossessing the petitioner form the land to an extent of Ac. 3.00 in S.Nos.166/1 and 166/2 situated at Kindra Village of Rajavommangi Mandal, East Godavari District without issuing any notice or passing any order as illegal, arbitrary and violative of principles of natural justice and consequently direct the respondents not to dispossess the petitioner from the land.

The grievance of the petitioner is that the second respondent-Mandal Revenue Officer, Rajavommangi Mandal, East Godavari District, forcing the petitioner to vacate the possession without following the due process of law. While so, the petitioner got issued legal notices to the second respondent as well as the Station House Officer, Rajavommangi and no reply has been received by him, as yet. Therefore, he constrained to file the present Writ Petition apprehending dispossession.

Considering the above facts and circumstances, without going into the merits of the case, this Writ Petition is disposed of with a direction to the respondents to give a suitable reply to the legal notice dated 30.5.2005, within a period of two weeks from the date of receipt of a copy of this order. Till such time, respondents are directed not to interfere with the peaceful possession of the petitioner. No order as to costs.

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E. DHARMA RAO, J

DATED: 17/06/2005

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To

1 The Revenue Divisional Officer Rampachodavaram, E.G.District.
2 The Mandal Revenue Officer, Rajavommangi Mandal, E.G.District.

3. Two CCs to G.P. for Revenue, High Court of A.P. Hyderabad (OUT)

4. Two CD copies.